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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON

7 20-CV-1636 JLR

8 GENEVA LANGWORTHY

9 \_\_\_\_\_  
10 \_\_\_\_\_,

11 Plaintiff(s),  
v.

12 ALTERNATIVE HUMANE SOCIETY

13 \_\_\_\_\_  
14 \_\_\_\_\_,

15 Defendant(s).

16 CASE NO. \_\_\_\_\_  
[to be filled in by Clerk's Office]

17 COMPLAINT FOR A CIVIL CASE

Jury Trial:  Yes  No

18 THREE JUDGE COURT

19 I. THE PARTIES TO THIS COMPLAINT

20 A. Plaintiff(s)

21 Provide the information below for each plaintiff named in the complaint. Attach  
22 additional pages if needed.

Name	Geneva Langworthy
Street Address	240 S. Sunnyside Ave. #2082
City and County	Sequim, Clallum County
State and Zip Code	WA 98382
Telephone Number	360-797-3386

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## 1 B. Defendant(s)

2 *Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.*

## 4 Defendant No. 1

Name	Alternative Humane Society
Job or Title ( <i>if known</i> )	
Street Address	3233 Iowa Place Drive
City and County	Bellingham, Whatcom County
State and Zip Code	WA 98229-5991
Telephone Number	360-671-7445

## 10 Defendant No. 2

Name	
Job or Title ( <i>if known</i> )	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

## 16 Defendant No. 3

Name	
Job or Title ( <i>if known</i> )	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

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1 Defendant No. 4

2 Name \_\_\_\_\_

3 Job or Title (*if known*) \_\_\_\_\_

4 Street Address \_\_\_\_\_

5 City and County \_\_\_\_\_

6 State and Zip Code \_\_\_\_\_

7 Telephone Number \_\_\_\_\_

8 **II. BASIS FOR JURISDICTION**

9 Federal courts are courts of limited jurisdiction (limited power). Generally, only two  
 10 types of cases can be heard in federal court: cases involving a federal question and cases  
 11 involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under  
 12 the United States Constitution or federal laws or treaties is a federal question case. Under 28  
 13 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and  
 14 the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of  
 15 citizenship case, no defendant may be a citizen of the same State as any plaintiff.

16 What is the basis for federal court jurisdiction? (*check all that apply*)17  Federal question       Diversity of citizenship

18 Fill out the paragraphs in this section that apply to this case.

19 A. If the Basis for Jurisdiction Is a Federal Question

20 List the specific federal statutes, federal treaties, and/or provisions of the United States  
 21 Constitution that are at issue in this case.

22 Americans with Disabilities Act, Title III  
 23 \_\_\_\_\_  
 24 \_\_\_\_\_

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1      B. If the Basis for Jurisdiction Is Diversity of Citizenship

2            1. The Plaintiff(s)

3                a. If the plaintiff is an individual.

4                The plaintiff (name) \_\_\_\_\_, is a citizen of the

5                State of (name) \_\_\_\_\_.

6                b. If the plaintiff is a corporation.

7                The plaintiff, (name) \_\_\_\_\_, is incorporated under  
8                the laws of the State of (name) \_\_\_\_\_, is incorporated under  
9                the laws of the State of (name) \_\_\_\_\_, and has its principal  
10          place of business in the State of (name) \_\_\_\_\_.

11          *(If more than one plaintiff is named in the complaint, attach an additional page providing  
the same information for each additional plaintiff.)*

13            2. The Defendant(s)

14                a. If the defendant is an individual.

15                The defendant, (name) \_\_\_\_\_, is a citizen of the

16                State of (name) \_\_\_\_\_. Or is a citizen of  
17          (foreign nation) \_\_\_\_\_.

18                b. If the defendant is a corporation.

19                The defendant, (name) Alternative Humane Society \_\_\_\_\_, is incorporated under  
20                the laws of the State of (name) Washington \_\_\_\_\_, and has its principal  
21          place of business in the State of (name) Bellingham, WA \_\_\_\_\_.

22                Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
23          and has its principal place of business in (name) \_\_\_\_\_.

24          *(If more than one defendant is named in the complaint, attach an additional page  
providing the same information for each additional defendant.)*

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1           3. The Amount in Controversy.

2           The amount in controversy-the amount the plaintiff claims the defendant owes or the  
3 amount at stake-is more than \$75,000, not counting interest and costs of court, because (*explain*):

4           Plaintiff Langworthy's service dog "Snorri" was individually task-trained and had more  
5 than six years experience in assisting disabled user. Cost of finding a new service dog to  
replace Snorri, or to train a new service dog, are enormous. Ms. Langworthy's expenses  
in pursuing her civil rights unsuccessfully in state court also exceed \$75,000.  
6           Punitive or compensatory damages should be referred to state court.  
7

8           **III. STATEMENT OF CLAIM**

9           *Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as*  
possible the facts showing that each plaintiff is entitled to the damages or other relief sought.  
State how each defendant was involved and what each defendant did that caused the plaintiff  
harm or violated the plaintiff's rights, including the dates and places of that involvement or  
conduct. If more than one claim is asserted, number each claim and write a short and plain  
statement of each claim in a separate paragraph. Attach additional pages if needed.

12           SUMMARY: Private animal humane society denied it is a place of public accommodation  
13 under Title III of the ADA, discriminatorily refused to modify its policies to accommodate  
disabled participant, employed discriminatory eligibility criteria to deny participation by  
disabled applicant, and retaliated against disabled participant by providing benefits and  
services that were separate and inferior because disabled participant filed suit and attempted  
14 to assert her rights under the Americans with Disabilities Act. See Attached Statement of  
Claim.

15           **IV. RELIEF**

16           *State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do*  
not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing  
at the present time. Include the amounts of any actual damages claimed for the acts alleged and  
the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts,  
18 and the reasons you claim you are entitled to actual or punitive money damages.

19           Discrimination is on-going in that disabled participant is still denied reasonable accommodation  
20 and denied access. Plaintiff seeks enforcement of compliance with Title III of ADA and  
guarantee of right of participation in the program. Plaintiff is entitled to adopt a service dog  
21 comparable to her own individually task-trained service dog withheld by the private entity.

22           **V. CERTIFICATION AND CLOSING**

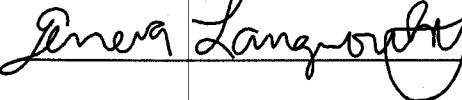
23           Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my  
knowledge, information, and belief that this complaint: (1) is not being presented for an improper

1 Pro Se I 2016

1 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;  
2 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or  
3 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so  
4 identified, will likely have evidentiary support after a reasonable opportunity for further  
5 investigation or discovery; and (4) the complaint otherwise complies with the requirements of  
6 Rule 11.

7 I agree to provide the Clerk's Office with any changes to my address where case-related  
8 papers may be served. I understand that my failure to keep a current address on file with the  
9 Clerk's Office may result in the dismissal of my case.

10 Date of signing: October 29, 2020

11 Signature of Plaintiff 

12 Printed Name of Plaintiff Geneva Langworthy

14 Date of signing: \_\_\_\_\_

15 Signature of Plaintiff \_\_\_\_\_

16 Printed Name of Plaintiff \_\_\_\_\_

18 Date of signing: \_\_\_\_\_

19 Signature of Plaintiff \_\_\_\_\_

20 Printed Name of Plaintiff \_\_\_\_\_

## **STATEMENT OF CLAIM**

1. On May 17, 2019, Plaintiff Langworthy filed a civil complaint in Whatcom Superior Court against the Alternative Humane Society (AHS) of Whatcom County for failure to modify and for disability discrimination. Langworthy alleged that the AHS failed to modify their policies, practices and procedures to allow her to redeem or re-adopt her service dog "Snorri" from them, after Langworthy entrusted her service dog to the AHS for a temporary stay on May 11, 2019, when Plaintiff was injured and symptomatic.
2. On May 17, 2019, the Alternative Humane Society denied that they are a Place of Public Accommodation under the ADA, and have continued to deny that they are subject to the ADA since that date. The AHS sells dogs and cats to the general public, using public accommodations locations such as Petco to stage so-called "adoption events".
3. On August 3, 2019, AHS informed Ms. Langworthy of their intention to deny Plaintiff equal benefits and services by the organization. The AHS normally puts healthy, adoptable dogs or cats immediately up for adoption by advertising the animals on the AHS website, facebook page, and Petfinder page. On August 3, 2019, the AHS stated that, rather than providing their normal service, the AHS would "do as it wishes" with Snorri.
4. The AHS obtained physical possession of Snorri on May 11, 2019. Rather than following their established protocol and making Snorri available for adoption by the

public, the AHS kept Snorri hidden from May 11, 2019, until some time in November, 2019.

5. Between May 11, 2019, and November 15, 2019, the AHS ignored or denied 4 different applications by Plaintiff Langworthy to re-adopt Snorri from them. Ms. Langworthy has proved that she is otherwise-qualified to own or adopt Snorri, including two notarized affidavits by Snorri's veterinarian, Dr. Jenny Rees, in support of the AHS returning Snorri to her disabled user. When contacted by phone in May, 2019, Dr. Rees had recommended to the AHS that they should return Snorri to her home, as she was always "happy, well-adjusted and outgoing" in Langworthy's care.

6. In August, 2019, Ms. Langworthy submitted an application to adopt a border collie mix from the Alternative Humane Society.

7. On Sept 3, 2019, the AHS retaliatorily denied Ms. Langworthy's application to adopt a different dog from them, employing discriminatory eligibility criteria, including leash restraint. The reasons offered for the denial of Ms. Langworthy's application were a pretext for disability discrimination.

8. Ms. Langworthy submitted a reasonable accommodation request to the AHS to be allowed to adopt a dog even though her disabilities require her to keep her dogs under verbal restraint, instead of physical restraint. Ms. Langworthy also explained that she lives on several acres in an unincorporated area with no leash laws. The AHS refused to respond, and retaliatorily denied Ms. Langworthy's second reasonable accommodation request to the organization.

9. The AHS retaliatorily transferred possession of Snorri to one of their volunteers in 2019, with the intent to permanently deprive Ms. Langworthy of her service dog. Snorri was not treated in the manner that the dogs of non-disabled participants are treated, forcing Ms. Langworthy to accept separate and inferior benefits and services. Snorri was kept hidden and confined for at least six months. Snorri was never made available for adoption by the public, in order to prevent Ms. Langworthy from ever being able to recover her service dog. In this manner, the AHS violated the ADA by discriminating against Ms. Langworthy because of her disabilities.

DATED 5 November, 2020.

Respectfully submitted by Geneva Langworthy  
disabled Plaintiff pro se

PO Box 2082  
Sequim, WA 98382  
360.797.3386